GOVERNMENT OF INDIA
TRIBAL AFFAIRS
LOK SABHA

UNSTARRED QUESTION NO:529
ANSWERED ON:06.02.2017
Immunity to Tribal from Indian Law
Selvam Shri V. Panneer

Will the Minister of TRIBAL AFFAIRS be pleased to state:

(a) Whether complaint of murder of a child by a Jarawa tribesman has been reported;

(b) if so, the details thereof and the response of the Government thereto;

(c) whether the tribesmen enjoy immunity from Indian Law and the Government does not interfere in their social life; and

(d) if so, the details thereof?

Answer

MINISTER OF STATE IN THE MINISTRY OF TRIBAL AFFAIRS
(SHRI JASWANTSINH BHABHOR)

(a) & (b) As per information received from Andaman and Nicobar Administration, an FIR No. 101/15 dated 16.11.2015 under section 302/109 IPC r.w.s. 3(2) (v) of Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 and 8(6) of the Andaman & Nicobar (Protection of Aboriginal Tribes) Regulation, 1956 as amended in 2012 was lodged with Ograbraj P.S. of the Andaman & Nicobar Police in the above matter. Accused persons were arrested and have been released on bail.

(c) & (d) In terms of the provisions of Section 10 of Chapter 2 of the Indian Penal Code, the Jarawa tribesmen are not exempted from any of the penal provisions of the Indian Penal Code as well as other statutes. However, Jarawa being a Particularly Vulnerable Tribal Group, are provided with maximum autonomy and minimum regulated intervention from the State as per the Policy on Jarawa of 2004. The policy further provides that there shall be no intervention in cultural life of the Jarawas and are left at liberty to develop according to their own genius and at their own pace.

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